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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,517	12/13/2004	Erwin Demmeler	2732-151	7119
6449 7590 06/14/2007 ROTHWELL, FIGG, ERNST & MANBECK, P.C. 1425 K STREET, N.W. SUITE 800 WASHINGTON, DC 20005			EXAMINER PAIK, STEVE S	
			ART UNIT 2876	PAPER NUMBER
			NOTIFICATION DATE 06/14/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTO-PAT-Email@rfem.com

**Office Action Summary**

Application No.

10/517,517

Applicant(s)

DEMMELETER ET AL.

Examiner

Steven S. Paik

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/13/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Response to Amendment*

2. Receipt is acknowledged of the Preliminary Amendment filed December 13, 2004.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 4-6, 8, 9, and 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Peebles et al. (US 2002/0003163 A1).

Re claim 1, Peebles et al. disclose a method for processing bank notes present as separate deposits, characterized in that at least one of the beginning or end of each deposit is ascertained (an escrow unit 24 ascertains the beginning and end of a deposit), the bank notes of each deposit are fed into a separate carrier (Fig. 2 shows the sequence of operation of such an escrow unit when accepting a media deposit. Referring first of all to Fig. 2a, in this can be seen a media receptacle 32 containing a bundle of banknotes 34 which has been deposited through media entry slot 12.) and each carrier transports the bank notes of one deposit ([0060] – [0061]) to processing.

Re claim 2, Pebbles et al. disclose the method as recited in rejected claim 1 stated above, where the information (thickness of banknotes /validation) of the deposits is detected, and the detected information of the deposits is joined ([0055] – [0056]) to the particular carrier (escrow unit 24) of a deposit .

Re claim 4, Pebbles et al. disclose the method as recited in rejected claim 1 stated above, characterized in that the deposits are formed by one or more bundles of bank notes each having a band, the bands being removed from the bundles before the bank notes of the bundles are fed into the particular carrier ([0061]-[0063]).

Re claim 5, Pebbles et al. disclose the method as recited in rejected claim 4 stated above, characterized in that the bands are stored in the order in which they appear in at least one of the deposits or subunits, the bands are removed from storage after successful processing of the associated bank notes ([0061]-[0063]), and the bands are provided for at least one of a check or investigation after ascertainment of deviations in at least one of the deposits or subunits ([0067]).

Re claim 6, Pebbles et al. disclose the method as recited in rejected claim 4 stated above, characterized in that an image of each band is recorded and stored ([0015] - Preferably the step of returning the media to the media receptacle via a media validation pathway comprises the step of validating the media. Conveniently this is achieved by passing the media by or through means for validating media, which may be disposed in the validation pathway. The media validation means may comprise a note thickness sensor (NTS), to determine whether single or multiple notes have been picked. The validation means may additionally or alternatively comprise means for identifying media, to identify the denomination or value of deposited media; and/or means

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for detecting media forgery, to determine whether or not genuine media have been deposited.

Such media validation means are known in the art.).

Re claim 8, Pebbles et al. disclose the method as recited in rejected claim 1 stated above, characterized in that the deposits of a certain depositor are treated according to specifications coming from the depositor, the specifications being derived from the information (When a user wishes to deposit banknotes into the ATM 10, they insert a bundle of notes through the media entry/exit slot 12 into the escrow unit 24. The notes are stripped from the escrow unit by a bill picker, and fed singly into the media flow path at portion A. Passing into portion B, the notes pass through the note thickness sensor 20 and validation/identification module 22, which together determine whether the notes are single or multiple, and the denomination and validity of the notes. Passing along sections C and D of the flow path, the notes return to the escrow unit 24. Thus, the deposited notes have now been verified and validated, and are in the original deposit location. The ATM 10 then asks the user to confirm their deposit: it may also indicate the value of the deposit as calculated by the validation/identification module 22. If the user wishes to cancel the deposit, or if the ATM 10 found invalid notes amongst the deposit, the notes will be returned to the user through the media entry/exit slot 12. In this way the user receives the same notes as they deposited. If the deposit is confirmed, the bill picker again passes the notes singly along paths A and B, where the note thickness is again checked by detector 20, and the notes once more identified by identification module 22. The notes are then passed along the appropriate branch of path C, into the correct accepted media storage bin 16.).

Re claim 9, Peebles et al. disclose an apparatus (ATM10) for processing bank notes present as separate deposits by means of a bank note processing machine (ATM 10) having a

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singler (The notes are stripped from an escrow unit by a bill picker, and fed singly into the media flow path), a transport system (Fig. 1 shows different transporting paths), a checking device (sensor 20 and validation and identification module 22), a delivery device (Paths A-E) and a control device, whereby a transport device ([0056]) transports carriers containing the deposits to the singler, characterized by a sensor (20) for detecting at least one of the beginning or end of each deposit, a filling position at which the bank notes of each deposit are fed into a separate carrier (three accepted media storage bins 16), each carrier (escrow unit 24) transporting the bank notes of one deposit to the singler for processing ([0055]).

Re claim 13, Pebbles et al. disclose the method as recited in rejected claim 9 stated above, characterized in that the deposits are formed by one or more bundles of bank notes each having a band, the bands being removed from the bundles before the bank notes of the bundles are fed into the particular carrier ([0061]-[0063]).

Re claim 14, Pebbles et al. disclose the method as recited in rejected claim 13 stated above, characterized in that the bands are stored in the order in which they appear in at least one of the deposits or subunits, the bands are removed from storage after successful processing of the associated bank notes ([0061]-[0063]), and the bands are provided for at least one of a check or investigation after ascertainment of deviations in at least one of the deposits or subunits ([0067]).

Re claim 15, Pebbles et al. disclose the method as recited in rejected claim 13 stated above, characterized in that an image of each band is recorded and stored ([0015] - Preferably the step of returning the media to the media receptacle via a media validation pathway comprises the step of validating the media. Conveniently this is achieved by passing the media by or through means for validating media, which may be disposed in the validation pathway. The

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media validation means may comprise a note thickness sensor (NTS), to determine whether single or multiple notes have been picked. The validation means may additionally or alternatively comprise means for identifying media, to identify the denomination or value of deposited media; and/or means for detecting media forgery, to determine whether or not genuine media have been deposited. Such media validation means are known in the art.).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3, 7, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peebles et al. (US 2002/0003163 A1) in view of Yuge et al. (US 5,247,159 , cited by the applicant).

The teachings of Peebles et al. have been fully discussed with the exception of disclosing separation cards.

Yuge et al. disclose a separator card (S). The a bill depositing and withdrawing system of the circulation type for receiving bills deposited and withdrawing them as money to be paid, comprising: storing means for storing bills deposited; means for causing a confirming operation for confirming of the number of the bills stored in the storing means; card supplying means for supplying a separator card to the storing means when said confirming operation is caused by the causing means; memory means for memorizing the number of the bills stored in the storing means; take-out means for taking out the bills to be paid and separator cards one by one from the

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storing means; counting means for counting number of the bills taken out by the take-out means; returning means for returning the bills counted by the counter means to the storing means; detector means for detecting the operator card taken out by the take-out means; and stopping means for stopping the operation of said take-out means, said counter means and said returning means when the separator card is detected by said detector means. The separator card S serves to divide a plurality of bills P, which are temporarily stored in each of the safes 14a-14d, into a predetermined number of them and check their number in each of the safes 14a-14d.

In view of Yuge et al., it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to further employ a separation card in addition to the ATM of Peebles et al. due to the fact that the deposited and stored currency can be easily divided and counted for efficient accounting of bills stored in each of the safes or receptacles.

7. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peebles et al. (US 2002/0003163 A1) in view of Blackson et al. (US 7,140,537 B2).

The teachings of Peebles et al. have been fully discussed with the exception of disclosing the carrier of a deposit comprising a unique marking that is detected by a sensor.

Blackson et al. disclose an automated banking machine (ATM10) including a mechanism for accepting deposited items. The envelope used to deposit is carrying banknotes therein and has unique indicia. The thickness of the envelope along with the unique indicia are used to identify a depositor and verify the indicated deposit value. In the event of a discrepancy, the person verifying the deposit may use the thickness and other data which has been recorded related to the deposited item, to determine if the deposited item actually contained items having the expected properties of thickness and/or other properties at the time of deposit. This will



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enable a person responsible for verifying the deposit to better determine if the items were not included in the deposited item at the time of deposit or if the content of the deposited item was lost or misappropriated after deposit. Such information is useful in determining whether to credit the customer's account for the indicated deposit value as later discussed.

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have incorporated a carrier of deposited item with a unique marking as taught by Blackson et al. into the teachings of Peebles et al. for the purpose of minimizing or reducing the discrepancy involved with a deposit.

### *Conclusion*

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Johnston et al. (US 5,987,431) disclose self-service banknote deposit apparatus.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven S. Paik whose telephone number is 571-272-2404. The examiner can normally be reached on Monday - Friday 6:30a-3:00p (Maxi-Flex\*).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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Art Unit 2876

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